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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(San Francisco Division)

ESTATE OF EMERALD ROSE HERRIOT,
JAMES HERRIOT, and JENNIFER CRAM

Plaintiffs,

vs.

COUNTY OF MENDOCINO, CHUCK
DUNBAR, JOHN MELNICOE, RITA
HURLEY, SUE NORCROSS, NANCY
KOZAK, VICKIE LYNN SOLONIUK,
M.D., and DOES 1-10, inclusive,

Defendants.

Case No. CV13-05720 CRB (LB)

ORDER OF THE COURT RE:
TELEPHONIC APPEARANCE OF
JAMES HERRIOT AT JULY 9, 2014
SETTLEMENT CONFERENCE

The above-entitled U.S. District Court (Magistrate Laurel Beeler) is conducting a
settlement conference in this matter on July 9th, 2014, that commences at 9:30 a.m., and may
proceed as late as 5:30 p.m.

1 The court has been apprised that Plaintiff James Herriot (CVC # V68940) is currently
2 incarcerated at:

3 California Health Care Facility At Stockton
4 7707 Austin Rd.
5 Stockton, Ca. 95215
6 Warden: Ronald Rackley

7 The Court requires the attendance of Mr. Herriot telephonically at the Settlement
8 Conference. This Order has been submitted by Plaintiff's Counsel Robert Powell, after
9 consultation with counsel for the Defendants (David Hamilton and Doug Losak), pursuant to
10 the Order of this Court issued 7/3/14 at 5:21 p.m.

11 Therefore, GOOD CAUSE APPEARING, the Court hereby finds and orders as follows:

12 1. To Warden Ronald Rackley of the California Health Care Facility At Stockton;

13 a.) Mr. James Herriot (CVC #V68940) shall be situated by 9:30 a.m. on July 9th,
14 2014 in circumstances that will allow him to make confidential calls to his
15 attorney Robert R. Powell at Cell Phone #408-206-2563, and/or to Judge Laurel
16 Beeler's clerk's phone number at 415-522-4660, until 5:30 p.m. on said date.

17 b.) Prior to 9:30 a.m. on July 9th, 2014, Mr. Rackley, and/or the Litigation
18 Coordinator Erin Takehara -209-467-2558 (erin.takehara@cdcr.ca.gov), shall e-
19 mail attorney Robert R. Powell (rpowell@rrpassociates.com) with a phone
20 number for the phone Mr. Herriot will be allowed to use for purposes of
21 telephonically attending the settlement conference, and said e-mail shall
22 describe with particularity any information useful or necessary to ensure the
23 timely receipt of phone calls from Mr. Powell and/or Ms. Scott during the hours
24 of 9:30 a.m. and 5:30 p.m. on said date.
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c.) No recording of these phone calls will be allowed, and should the Warden in his discretion believe Mr. Herriot needs to be monitored in any fashion during this time, the Warden is requested to do so in a manner which will best insure confidentiality of the attorney-client communications that are anticipated to occur between Mr. Herriot and Mr. Powell, while accomplishing any goals of the Warden for security of Mr. Herriot or the California Health Care Facility At Stockton.

d.) Robert Powell shall promptly forward this Order, when executed and received through the ECF system, to Erin Takehara at the e-mail address provided above.

e.) If, upon receipt of this Order or at any time prior to the scheduled Settlement Conference the Warden or Ms. Takehara believe there is any information of which the Court should be apprised with regard to Mr. Herriot's availability or any aspect of this Order and the ability to comply with it, an e-mail describing the information and any issues related thereto shall be sent as early as is feasible, to all counsel, as follows:


David Hamilton - david.hamilton@doj.ca.gov

Doug Losak - losakd@co.mendocino.ca.us

Robert Powell – rpowell@rrpassociates.com

IT IS SO ORDERED.

DATED: July 7, 2014


LAUREL BEELER
U.S. Court – Northern District
Of California